Ash Peak Permit Renewal Protest Points and Responses

	Document	Protest Point	Response
1	EA	The EA fails to take a hard look at the impacts of the proposed action on the possible occupation of the allotment by bighorn. Public comment noted that the Ash Peak RHE indicates that the allotment provides habitat for bighorn but the EA doesn't list this species as one the BLM is concerned with on this allotment. Ash Peak EA at 15; Ash Peak S&G at 27. In response to comments, BLM admits that suitable habitat is mentioned in the S&G with the possibility of movement into the area in the future. Response to Comments #5. Then, the BLM states that the species was not addressed in the EA because no impact to bighorn sheep or their habitat are expected under the proposed action. Response to Comments #26. Why not? The EA fails to discuss how livestock grazing on the allotment might prevent bighorn sheep reoccupation, or why the agency thinks that bighorn might be back in 10 to 20 years. **This is a species of high concern to WWP and we protest the proposed decision for failing to analyze and disclose impacts to native wildlife.**	Rocky Mountain bighorn sheep expanded into Arizona from New Mexico near the Blue River 30 years ago. During the last 30 years, they have expanded steadily and now occupy habitat along the Blue River, Gila River, San Francisco River, Eagle Creek, Bonita Creek and have established populations as far into Arizona as Markham Creek, 60 miles from their entry point. This natural population expansion has taken place regardless of land uses, including grazing. Established populations of Rocky Mountain bighorn exist within 16 miles of the Ash Peak allotment with young individuals exploring even closer through the Black Hills. As indicated in the S&G, the only real impediment to Rocky Mountain bighorn sheep moving into the Ash Peak allotment is U.S. Highway 70. The historic expansion rate of this population has averaged two miles per year. The expectation that they could expand into the Ash Peak allotment in 10 to 20 years is reasonable. A transplant to reestablish desert bighorn in the Peloncillo Mountains took place in the early 1980s. It has taken a while for the population to become stable. This population exists less than ten miles south of the Ash Peak allotment with no impediments to movement. As indicated in the S&G, it is likely that this population will expand into the allotment in the next 10-20 years. As described in the S&G Section 4.2, bighorn sheep tend to segregate themselves from other large species by occupying open steep rocky slopes. Steep rocky slopes are not generally used by livestock. Open steep slopes exist on the east and north sides of the Ash Peak allotment, connecting the Peloncillo Mountains to the Black Hills, with Highway 70 on the north side of the allotment as the

			prominent impediment to movement. The Bureau recognizes no difference to bighorn movement and suitable habitat between the two alternatives, thus analysis of this issue was not included because it was not necessary to make a reasoned choice between alternatives. Furthermore, the issue is not significant, nor is analysis of the issue necessary to determine the significance of impacts. The Bureau has concluded in Table 2 of the EA that the general distribution of water for wildlife is the only habitat component affected to the degree that would require detailed analysis. That analysis is in Section 4.0 of the EA.
2	EA	The overarching environmental analyses are outdated. The BLM ties the proposed grazing actions to the authority provided by the Safford RMP (1991) that adopted the grazing analysis of the Upper Gila River EIS (1978). See, e.g. Ash Peak EA at 5-6. Thus, the governing land use plan is already over twenty years old and the analysis to which is *[sic]* ties is 35 years old. The carrying capacity estimates and stocking rates were set prior to the decades of intervening drought, at a different period in wildlife management, and when the nation's priorities for public lands were markedly different from the recreation and ecosystem/watershed health focus today. Because the S&G doesn't have utilization data or comprehensive and consistent monitoring, the BLM has not provided support for the status quo and a fresh, hard look at whether grazing is even appropriate is *[sic]* necessary. In cases like Ash Peak, the BLM has used monitoring that occurred after an interval of reduced livestock use to support the decision to maintain permitted use at a higher level. Without consistent use and monitoring data, the BLM is using apples to sell oranges. BLM justifies this by saying that it uses frequency data over the long term to understand use. Response to Comments #16. Two problems: 1. The RMP and	The proposed action was identified as in conformance with the existing land use plan, which adopted the Upper Gila River EIS. Though the land use plan was completed in the dates referenced, the decisions are still applicable and further analysis necessary for site-specific analysis was completed in the EA. The Safford District Resource Management Plan adopted the Upper Gila–San Simon Grazing EIS. The EIS states the following: "Evaluations and long- term (3-5 years) studies would identify the need for major changes in a given management system. Studies would include range conditions; utilization, actual livestock use, and range trend, as outlined in BLM Manual 4400" (page 1-8). Utilization data is one component of an evaluation that would be helpful, but is not available for Ash Peak. The Bureau provided comparative frequency tables for key areas 2 and 3 with data from 2005 and 2013. The herbicide

		the EA reference utilization levels as indicators for stocking rate appropriateness. See EA at 7. 2. BLM has only measured frequency once, in 2011 (RHE 62-67) or perhaps twice on a single key area (RHE at 68). The frequency data that is reported between 2006 and 2013 follows a period of actual use and herbicide treatments, and cannot be considered representative of livestock impacts. This, BLM has not demonstrated that the proposed decision is in balance with the carrying capacity of the allotment, and we protest on that basis.	treatment area did not impact any of the established key areas. Actual use reported between the frequency data sets shows that the allotment was at full numbers for four of the eight years and reduced by approximately 25 percent during the other four years. The data sets are a good representation over that time period. In addition to any available monitoring data, the BLM uses the 17 indicators of rangeland health to evaluate land health conditions. The interrelated attributes of soil/site stability, hydrologic function, and biotic integrity were evaluated by an interdisciplinary team to determine if ecological processes related to those attributes are functioning within a normal range of variation. As described in Technical Reference 1734-6, Interpreting Indicators of Rangeland Health, these evaluations "provide early warnings of potential problems and opportunities by helping land managers identify areas that are potentially at risk of degradation or where resource problems currently exist." As a result of the land health evaluation on this allotment and based on the indicators used in that assessment, it was determined that the Arizona Standards for Rangeland Health were being met.
3	EA	Page 19 of the Environment Analysis states that a 10-acre mechanical thinning and seeding test plot is identified for the Rhyolite Peak Allotment. This is incorrect. The 10 acres will be used for a seeding test plot. No mechanical thinning is proposed. The 10-acres will be disked or plowed and the same 10 acres will be seeded to native grasses.	It is correct that disking or plowing treatments are proposed on the adjacent Rhyolite Peak Allotment, rather than mechanical thinning. The difference between the stated proposed (foreseeable future) mechanical thinning, or as corrected, disking or plowing, of 10 acres on an adjoining allotment in the cumulative impacts section of the EA does not change the analysis or conclusions in the EA. There are no proposed mechanical treatments on Ash Peak.
4	S&G	Reason for Protest, Page 28 of the Standards and Guidelines Evaluation states, "Utilization and actual livestock use will be	The referenced Upper Gila–San Simon Grazing EIS states, "Evaluations and long- term (3-5 years) studies would identify

		monitored on the allotments that receive grazing use". Utilization is also the methodology used to adjust livestock numbers according to forage available. No mention is made in the document that livestock utilization has ever been measured on this allotment, even though utilization limits are the primary method of determining stocking rates in the Safford Field Office and were specified for this use in the grazing decisions promulgated from the Upper Gila-San Simon Grazing Environmental Impact Statement.	the need for major changes in a given management system. Studies would include range conditions; utilization, actual livestock use, and range trend, as outlined in BLM Manual 4400" (page 1-8). Utilization alone or as the primary data set should not be used to alter preference. Utilization data is one component of an evaluation and would be helpful, but is not available for Ash Peak. In addition to any available monitoring data, the BLM uses the 17 indicators of rangeland health to evaluate land health conditions. The interrelated attributes of soil/site stability, hydrologic function, and biotic integrity were evaluated by an interdisciplinary team to determine if ecological processes related to those attributes are functioning within a normal range of variation. As described in Technical Reference 1734-6, Interpreting Indicators of Rangeland Health, these evaluations "provide early warnings of potential problems and opportunities by helping land managers identify areas that are potentially at risk of degradation or where resource problems currently exist." As a result of the land health evaluation on this allotment and based on the indicators used in that assessment, it was determined that the Arizona Standards for Rangeland Health were being met.
5	Comment Response Table	Under "Comment Responses for Ash Peak Allotment Permit Renewal" attached to the proposed Decision, comment number 16 asked the question if utilization data should be included and used for analysis. The reply was, "Utilization monitoring is scheduled and will be incorporated into management decisions in the future". Utilization data should have been used and incorporated in the document according to BLM policy and guidelines and was not.	Utilization data is one component of an evaluation and would be helpful, but is not available for Ash Peak. In addition to any available monitoring data, the BLM uses the 17 indicators of rangeland health to evaluate land health conditions. The interrelated attributes of soil/site stability, hydrologic function, and biotic integrity were evaluated by an interdisciplinary team to determine if ecological processes related to those attributes are functioning within a normal range of variation. As described in Technical Reference 1734-6, Interpreting Indicators of Rangeland Health, these

			evaluations "provide early warnings of potential problems and opportunities by helping land managers identify areas that are potentially at risk of degradation or where resource problems currently exist." As a result of the land health evaluation on this allotment and based on the indicators used in that assessment, it was determined that the Arizona Standards for Rangeland Health were being met.
6	EA	Furthermore, the author uses a complicated mathematical formula in Appendix E to show the allotment is properly stocked. This is in error and should be removed as an appendix in the evaluation. My reasons are: First, no actual measurements of production have been made on the allotment. One cannot simply use the annual production estimates included on the Ecological Site Description. Second: Even if total annual production was measured one needs to determine the pounds of forage produced and proper use factors for each edible species. This has not been done. Third: Including this method in a Standards and Guidelines Evaluation gives reviewers the mistaken notion that preference is set based on pounds of production and it is not. This Appendix should be removed because it is misleading and may end up setting a precedent for setting stocking rates. The use of Appendix E seems to simply be a ruse for showing the stocking rate is correct without actually doing any field work.	The Bureau did not use the information contained in Appendix E in its evaluation or analysis. Appendix E is not referenced in the S&G evaluation or the EA. It is standalone, and provided for information purposes only, not to set stocking rates. Bureau stocking rates for Ash Peak were set with the Upper Gila San Simon Grazing EIS. The Bureau will adjust stocking rates as prescribed in the grazing EIS. "Evaluations and long- term (3-5 years) studies would identify the need for major changes in a given management system. Studies would include range conditions; utilization, actual livestock use, and range trend, as outlined in BLM Manual 4400" (page 1-8). In addition to any available monitoring data, the BLM uses the 17 indicators of rangeland health to evaluate land health conditions. The interrelated attributes of soil/site stability, hydrologic function, and biotic integrity were evaluated by an interdisciplinary team to determine if ecological processes related to those attributes are functioning within a normal range of variation. As described in Technical Reference 1734-6, Interpreting Indicators of Rangeland Health, these evaluations "provide early warnings of potential problems and opportunities by helping land managers identify areas that are potentially at risk of degradation or where resource problems currently exist." As a result of the land health evaluation on this allotment and based on the indicators used in that assessment, it was determined that the Arizona

			Standards for Rangeland Health were being met.
7	S&G	In conclusion, the Standards and Guidelines Evaluation for the Ash Peak allotment is faulty. Therefore, the Proposed Decision is based on faulty information and should be vacated. A proper Standards and Guidelines Evaluation should be prepared and a new Proposed Decision issued.	The Bureau properly evaluated the Ash Peak allotment with an interdisciplinary team and available information. The Bureau sees no fault in the evaluation or analysis.